REMARKS

This amendment is submitted in response to the Examiner's Action dated March 24, 2005. Applicants have amended the claims to more clearly recite the inventive features provided within the claims, and the amendments place the claims in better condition for allowance. Applicants respectfully request entry of the amendments to the claims. The discussion/arguments provided below reference the claims in their amended form.

CLAIM REJECTIONS UNDER 35 U.S.C. § 112

At paragraph 3 of the present Office Action, Claims 1, 2, 4-7, 11, 12, and 14-17 are rejected under 35 U.S.C. §112, first paragraph. Specifically, Examiner states that: (1) "[n]o support in the specification is provided for the registration utility, the transaction utility or the SRID," and (2) "no support ... for 'a computer system affiliated with said depository and comprising a processor that executes program code" and (3) "program code that when executed by the processor completes the functions."

With respect to the first point, Applicants' have amended Claim 11 to now recite a registration process and a transaction process, which are in line with the language utilized within the specification. For example, Applicants' "transaction process," which is described at pages 15-16 of the specification and illustrated by FIG. 4, is a software application, such as software applications **26** illustrated by FIG. 1. Further, page 17, lines 2-4 describes the depository (i.e., the CPU of the depository's server) executing "transaction code by which the E-commerce transactions are completed." Applicants' SRID is introduced and specifically described at page 17, lines 19-28 of Applicants' specification.

With respect to the second point, Applicants have provided a depository server (**305** of **FIG. 3**), which is described at page 15, and which provides the activities described at pages 19-20 and 23. As stated at page 13, lines 3-6, the "depository **207** is a data processing system ...," which Applicants have described in FIG. 1 as having a central processing unit (CPU), a term interchangeably utilized with "processor" in the art.

As for the third point, it is well established that a processor executes program code to complete specific functions. Those of simple knowledge of computer systems appreciate that the processor must execute code for the system to operate. The actual functions provided by the specific code are not addressed by these rejections.

At paragraph 5 of the present Office Action, Claims 11, 12, and 14-17 are rejected under 35 U.S.C. §112, second paragraph. Examiner specifically states that "[n]o processor or the like to execute the program or software appears to be clearly recited." Examiner is incorrect in that assessment. Applicants' FIG. 1 clearly shows a data processing system, and lines 28-30 of page 10 clearly states "[d]ata processing system **20** comprises a Central Processing Unit (CPU)..." Pages 10-11, line 32- line 2 provides "... software applications **26** by which many of the processes of the invention are implemented..."

Applicants have amended these claims to more closely recite features disclosed within the originally filed specification and provide all features in more definite form. The amendments overcome the 112 rejections, and Applicants again respectfully request removal of the various 112 rejections.

CLAIM REJECTIONS UNDER 35 U.S.C. § 103

At paragraph 10 of the Office Action, Claims 1, 2, 4-7, 11-12 and 14-17 are rejected under 35 U.S.C. 103(a) as being unpatentable over *Landry* (U.S. Patent No. 6,996,542). Applicants are uncertain which portion of *Landry* applies to Examiner's rejection, which rejection is again very general in nature and does not address any of the specific limitations of Applicants' claimed invention believed by Examiner to be suggested by *Landry*. However, having carefully reviewed the very detailed *Landry*, Applicants is convinced that *Landry* does not suggest the key features of Applicants' claimed invention. Specifically, *Landry* is devoid of any features related to maintaining privacy of personal information during the E-commerce transaction.

Landry provides a "method for paying bills without requiring interaction with the payors" (Abstract, Summary). A bill generator uses stored data of the payee and payor to generate

recurring bills, which are then used "to generate the EFT messages for transferring funds electronically between payors and payees." (Abstract; *see* Summary, page 6, lines 51-63). *Landry*'s system is used "to efficiently implement a bill processing and payment system which automatically tracks, pays… without requiring action from the payors" (page 6-7, lines 64-2).

Notably, *Landry*'s system requires a prior set up of the payor and payee relationship with exchange of "personal" information (see FIGs. 2A and 2B and descriptions thereof). This setting up of payor and payee record is a standard, **non-private** interaction that occurs prior to the actual exchange of payment that occurs with *Landry*'s invention. *Landry*'s system and method would thus fail to suggest the underlying premise of Applicants' claimed invention, which is to prevent the exchange of personal information between the merchant (payee) and customer (payor).
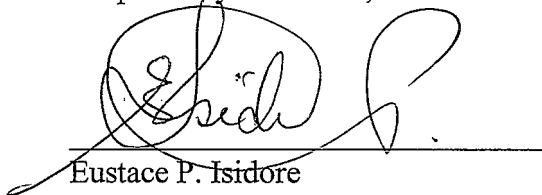
For the above reasons, *Landy* fails to suggest the subject matter of Applicants' claimed invention, and Applicants' claims are allowable.

CONCLUSION

Applicants have diligently responded to the Office Action by amending the claims to overcome the §112 rejections and by explaining, with specific arguments, why the claims are not obvious over *Landry*. The amendments and arguments overcome the various rejections, and Applicants, therefore, respectfully request reconsideration of the rejections and issuance of a Notice of Allowance for all claims now pending.

Applicants respectfully request the Examiner contact the undersigned attorney of record at (512) 343-6116 if such would further or expedite the prosecution of the present Application.

Respectfully submitted,

Eustace P. Isidore
Reg. No. 56,104
DILLON & YUDELL L.L.P.
8911 N. Capital of Texas Highway
Suite 2110
Austin, Texas 78759
(512) 343-6116

ATTORNEY FOR APPLICANT(S)